

2017 CANDIDATE INSTRUCTIONS FOR COMPLETING THE PERSONAL DATA QUESTIONNAIRE

NOTICE: The information requested in the Personal Data Questionnaire is needed to assist the Judicial Merit Selection Commission (“JMSC”) in its screening of candidates for the judiciary. Because the questionnaire is the initial step in the investigation of your candidacy, you should return it to the Commission as soon as possible, but in any event, **no later than 12:00 Noon on Monday, July 31, 2017.**

Please note that the information you type in response to the Personal Data Questionnaire is used to create *public* documents used in the judicial screening process.¹ **Some of your responses will be taken verbatim from the Personal Data Questionnaire and inserted into the Candidate Report that is published in the Journals of the South Carolina Senate and House of Representatives.** After JMSC staff redacts your confidential information, your Personal Data Questionnaire will also be made an exhibit at the JMSC public hearing and will be posted on the JMSC website for public viewing. For these reasons, please follow the detailed instructions carefully in answering each question to ensure that your responses are consistent with the responses of other candidates in terms of formatting, etc. Please also proof your responses thoroughly for accuracy, grammatical errors, typographical errors, and any missing information, prior to submitting the application documents to the JMSC, which will not proof or edit the substance of your responses.

General Instructions

1. Font should be 12 point Times New Roman.
2. Underline instead of using italics, including underlining the names of court cases (be sure that citation information is complete and that it conforms to the citation format specified in Rule 268, SCACR).
3. Text should not be in bold.
4. All text should be in sentence case, not capitalized.
5. Capitalize the names of courts (*i.e.*, Supreme Court, Court of Appeals, Circuit Court, Family Court, etc.).
6. Spell out the numbers of circuits and include the word “Judicial” (Fifteenth Judicial Circuit; not 15th).
7. Do not capitalize or italicize guardian ad litem.
8. When referring to a previous number of years, use the word “past” and not “last” (*i.e.*, “past five years” and not “last five years”).
9. When a question asks for a list, use the following format:
 - (a)
 - (b)

¹ JMSC staff redacts the following information prior to publishing the PDQ in the Journals and to the public: home address, home telephone number, cell phone number and email; social security number; and driver’s license; the names of children; military service serial number; personal financial information; and discipline for legal, judicial, or professional misconduct.

Detailed Instructions for Each Question

Question #1:

If you are a sitting judge, delete the Mr./Mrs. and use “The Honorable” in front of your name. [Note that JMISC will delete your home address, home telephone number, cell phone number, and email address, prior to releasing to the public.]

Question #2:

[Note that JMISC will redact your social security number, as well as your month and date of birth, prior to releasing to the public.]

Question #3:

Self-explanatory

Question #4:

[Note that JMISC will redact this question prior to releasing to the public.]

Question #5:

Please answer this question in the same format of the examples shown below. Please give the names, ages, and occupations of any children at the end of the family status. [Note that JMISC will only list the number of children and will redact the names and other information related to the children, prior to releasing to the public.]

Married Candidate Example:

Family Status: Married on January 2, 1956 to Janet Smith.

Never divorced, two children.

[insert names, ages, and occupation (if applicable) of children here]

Single Candidate Example:

Single; Never divorced; No children.

Divorced Candidate Example:

Family Status: Divorced.

Divorced on Oct. 12, 1978, First Circuit Family Court, State of Hawaii, Irreconcilable differences – no fault. John Smith was moving party.

Divorced on July 31, 1998, Beaufort Co., S.C. Family Court, Ms. Smith was moving party, One Year’s Continuous Separation.

Three children.

[insert names, ages, and occupation (if applicable) of children here]

Question #6:

[Note that JMISC will redact your military service serial number and not submit your DD214, prior to releasing to the public.]

Questions #7–9:

List the items in response to these questions in the format shown below.

- (a)
- (b)
- (c)

Question #10:

You may attach this report of your continuing legal or judicial education from the Commission on CLE & Specialization, 950 Taylor Street, Suite 120, P.O. Box 2138, Columbia, SC 29202. The telephone number is (803) 799-5578.

Question #11:

Follow the format shown in the example below and please do not insert a table.

- (a) I have lectured at the 1900 SC Bar Program “Bridge the Gap” for new lawyers;
- (b) I have made presentations on the topics of appellate advocacy and domestic relations to lawyers attending the 1900 Annual SC Bar Meeting.

Question #12:

Follow the format shown in the example below and please do not insert a table.

- (a) SC Appellate Practice Handbook (SC Bar CLE 1995), Contributing Author;
- (b) Marital Litigation in SC Roy T. Stuckey and F. Glenn Smith (SC Bar CLE 1991), Editorial Board.

For examples of legal articles, briefs, orders, or other legal writings, please furnish both a hard copy and scan the document and save it onto the flash drive.

Question #13:

Follow the format shown in the example below and please do not insert a table.

- (a) South Carolina, 1998;
- (b) US District Court for the District of SC, 2008;
- (c) US Court of Appeals for the Fourth Circuit, 2010.

Question #14:

Follow the (a), (b), (c) format.

Question #15:

If you are a judge and are not seeking a different type of judgeship, you do not need to answer this question. Please answer this question N/A if it is not applicable to you.

Question #16:

When identifying the ratings AV, BV, etc., do not use quotation marks or periods.

Questions #17–22:

If you are a sitting judge, you do not answer Questions 17–22 unless you are running for a different seat than you currently hold.

Questions #17–19:

Self-explanatory

Question #21–22:

Please do NOT attach a separate list.

Question #23:

Self-explanatory

Question #24:

If your answer to Question #23 is no, answer should be N/A.

Questions #25–26:

Follow the (a), (b), (c) format.

Questions #27–30:

Self-explanatory

Question #31:

Provide your complete, current financial net worth statement as a separate attachment, and not on the form. ***On the form, provide the following statement: “A complete, current financial net worth statement was provided to the Commission.”***

Please provide documentation to support the figures that you provide on your financial statement, including the appropriate pages of account statements which verify the figures provided. For real property, if you have an appraisal, you may provide the cover page and the page that includes the appraisal amount. However, you do **not** need to obtain an appraisal. If you do not have an appraisal, you may state the market value of your property and provide a copy of the tax value from the county website. The Commission is aware that the tax value will be below the actual market value. If there is a significant discrepancy, please provide an explanation.

Question #32:

Self-explanatory

Question #33:

[Except for public information, JMSC will redact this answer prior to releasing to the public.]

Questions #34–36:

Self-explanatory

Question #37:

[Except for public information, JMISC will redact this answer prior to releasing to the public.]

Questions #38–42:

Self-explanatory

Question #43:

Expenditures for campaign: According to S.C. Code § 8-13-920, if campaign expenditures are in excess of \$100 (spent by the candidate or on his or her behalf), the candidate must report expenditures to both the Senate and House Ethics Committees. This can be done in the form of a letter; a copy should be sent to the Commission. The report must include the period beginning with the time the candidate first announces his or her intent to seek the office. The report must not include travel expenses or room and board while campaigning. Contributions made to members of the General Assembly during the period from announcement of intent to election date must be included. The report must be updated quarterly, with an additional report filed five days before the election and the final report filed thirty days after the election. Persons soliciting votes on behalf of candidates must submit expenses in excess of \$100 to the candidate which must be included on the candidate's report.

Question #44:

Follow the (a), (b), (c) format.

Questions #45–52:

Self-explanatory

Question #53:

Please note the following:

- (a) The candidate must furnish the Commission with **original** letters of recommendation from each person listed on the PDQ **at the time the application is submitted**, and the reference letters must be received by the application deadline (**no later than Noon on Monday, July 31, 2017**). Please **do not** have references mail their letters directly to the Commission.
- (b) **If you are currently a sitting judge, do not submit letters of recommendation from an attorney who will appear before you.**

Note: As provided in the Rule 8 of the Policies and Procedures of the Judicial Merit Selection Commission, “[a] photocopy or electronic submission of a letter of recommendation will not be accepted.” Further, Rule 8 provides that “[i]f the written application and the USB, flash drive, or diskette are not returned by the deadline, the candidate will be disqualified from the judicial race. This rule also applies to the letters of recommendation” Thus, if the Commission does not receive your original letters of recommendation by the deadline for receipt of all application materials, the candidate “will be disqualified from the judicial race.” Commission staff will review all application materials as they are received, and application packets that contain photocopies or electronic submissions of letters of recommendation will

be deemed incomplete, as provided in the Commission's Rule 8. ***Please be sure to include original letters of recommendation with your application packet.***

Questions #54–57:

Self-explanatory

Question #58:

Pursuant to Judicial Advisory Opinion No. 3-1994, 1994 WL 16851982, “a judge may use his judicial stationery in campaigning to the Legislature for re-election,” but “the judge should pay for the cost of the stationery.” Also, be aware of the requirements of SC Code Section 8-13-765 (use of government personnel or facilities for campaign purposes; government personnel permitted to work on campaigns on own time) and SC Code Section 8-13-1346 (use of public funds, property, or time to influence election prohibited; exceptions).